

REMARKS

Applicants respectfully requests further examination and reconsideration in view of the above amendments and the arguments below. Claims 1-43 are pending. Within the Office Action, Claims 1-43 are rejected. Claims 1-2, 5, 7, 9, 11, 13, 17-18, 21-22, 23-25, 36-37 and 43 are amended. Claims 1-43 are now pending.

Rejections Under 35 U.S.C. § 102(b):

Claims 1-3, 5, 6, 8-10, 13-19, 21, 22, 25-31, 33-38 and 40-43 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 6,442,686 to McArdle et al., hereinafter referred to as "McArdle." McArdle discloses a system for enforcing cryptographic-enabled messaging policies for email using a Policy Management Agent (abstract). McArdle discloses an agent working in conjunction with a standard email protocol SMPT (col. 3, lines 25-30). It is commonly know in the art that SMPT is operates over a TCP connection. A TCP connection must first be setup, by making a connection request before a communication channel is established for further messages. Only upon communication channel establishment are email messages sent between the client and server. The Policy Management Agent intercepts these email messages on an established communication channel and checks the messages against configuration policies (abstract). Thus, McArdle teaches a connection that is first setup and then interception and compliance testing on a message by message basis within the established communication channel. Access to the service (the mail server) is on a message by message basis and not on a connection basis: "If the e-mail adheres to the policies for the site, it is forwarded to the mail server where it is routed ..." (abstract). McArdle does not teach the access control to server services on a session or a connection basis.

The independent Claim 1, as amended, is directed to method for containing network communication by intercepting a connection message between the client and the server, sent over a communication-conduit and determining whether one or more usage-conditions are met. In contrast to the teachings of McArdle, the Claim 1 teaches control of the connection set-up for the establishment of a communications channel by the interception of the connection message. The connection message establishes a communication channel between the client and the server. Thus, control is on a session/connection by session/connection basis, not a message by message bases as disclosed by McArdle. The communication channel in Claim 1 can be an all or nothing control model. If the connection request or setup messages is intercepted and not passed on to

the service program, then there is no communication channel over which to communicate. No messages can then follow. McArdle does not disclose the prevention or control of the channel setup between the client and the server. Thus, McArdle discloses the interception on a message by message basis on an already setup channel and not interception of a channel setup messages. Therefore, McArdle does not disclose the limitations of Claim 1. For at least these reasons, the independent Claim 1 is allowable over the teachings of McArdle.

The dependent Claims 2-3, 5, 6, 8-10, and 13-16 are dependent on the independent Claim 1. As described above, the independent Claim 1 is allowable over the teachings of McArdle. Accordingly, Claims 2-3, 5, 6, 8-10, and 13-16 are also allowable as being dependent on an allowable base claim.

The independent Claim 17 is directed to a method for the containment of network communication. The method includes the step of intercepting a service-initiation request sent by a client to a server over a network. Based on service-conditions, the service-initiation request is evaluated to determine if one or more service-conditions are met. A service-initiation request relates to the set-up of the service. Claim 17 does not teach the interception of service requests to determine if one or more service-conditions are met. For the same reasons as stated previously, McArdle does not disclose the interception of a service-initiation request sent over the network. Therefore, McArdle does not disclose the limitations of Claim 17. For at least these reasons, the independent Claim 17 is allowable over the disclosures of McArdle.

The dependent Claims 18-19, 21, 22, 25-31, and 33-35 are dependent on the independent Claim 17. As described above, the independent Claim 1 is allowable over the teachings of McArdle. Accordingly, Claims 18-19, 21, 22, 25-31, and 33-35 is also allowable as being dependent on an allowable base claim.

The independent Claim 36 is directed to a system for the containment of network communication. The system includes a service-proxy for intercepting a service-initiation request sent by a client to a server over a network. The service-proxy determines whether one or more service-conditions are met. If the service condition is met, the service-proxy either forwards the service-initiation request to the server over the network. Alternatively, the service initiation request is discarded when the one or more service-conditions are not met. A service-initiation request relates to the setting up of the service. Claim 36 does not teach the interception of service requests to determine if one or more service-conditions are met. For the same reasons as

stated above, McArdle does not disclose the interception of a service-initiation request sent over the network.

Therefore, McArdle does not disclose the limitations of Claim 36, the interception of a service initiation request. For at least these reasons, the independent Claim 36 is allowable over the teachings of McArdle.

The dependent Claims 37-38 and 40-43 are dependent on the independent Claim 36. As described above, the independent Claim 36 is allowable over the teachings of McArdle. Accordingly, Claims 37-38 and 40-43 is also allowable as being dependent on an allowable base claim.

Rejections Under 35 U.S.C. § 103(a):

Claims 4, 7, 10, 20, 23, 24, and 39 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,442,686 to McArdle et al. (hereinafter “McArdle”) in view of Patent Application Publication 2003/0120811 to Hanson et al. (hereinafter “Hanson”). The previously pending independent claims 1, 17, and 36 are amended. Dependent claims 4, 7, 10, 20, 23, 24, and 39 depend from the amended independent base claims 1, 17, and 36. Therefore, the previous rejections are moot.

As discussed above McArdle discloses a system for enforcing cryptographic-enabled messaging policies for email using a Policy Management Agent (abstract). McArdle discloses an agent works in conjunction with a standard email protocol SMTP (col. 3, lines 25-30). The Agent intercepts these email messages on an established communication channel and checks the messages and checks them against configuration policies (abstract). Thus, McArdle teaches a connection that is set-up where messages sent within the established channel are tested for compliance with a policy. Access to the service, the mail server is on a message by message basis and not on a connection basis: “If the e-mail adheres to the policies for the site, it is forwarded to the mail server where it is routed ...” (abstract). McArdle does not teach access control to services on a server on session or connection basis.

Hanson teaches a means for an existing network applications to run reliably in mobile environments (abstract). Hanson does not teach the interception of a connection message or a service initiation request message as taught by independent claims 1, 17, and 36.

Therefore, neither McArdle, Hanson, nor the combination thereof disclose the interception of a connection request or service initiation request, a limitation of the independent base claims 1, 17, and 36. Because dependent Claims 4, 7, and 10 depend from independent

Claim 1, Claims 20, 23, and 24 depend from independent claim 17, and Claim 39 is dependent from the independent claim 36. Dependent Claims 4, 7, 10, 20, 23, 24, and 39 are allowable over the teachings of McArdle in view of Hanson.

Claims 11 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. "McArdle" in view of U.S. Patent No. 6,587,877 to Dougliis et al. (hereinafter "Dougliis"). The previously pending independent Claim 1 is amended. Dependent claims 11 and 12 from the amended independent base claim 1. Therefore, the previous rejections are moot.

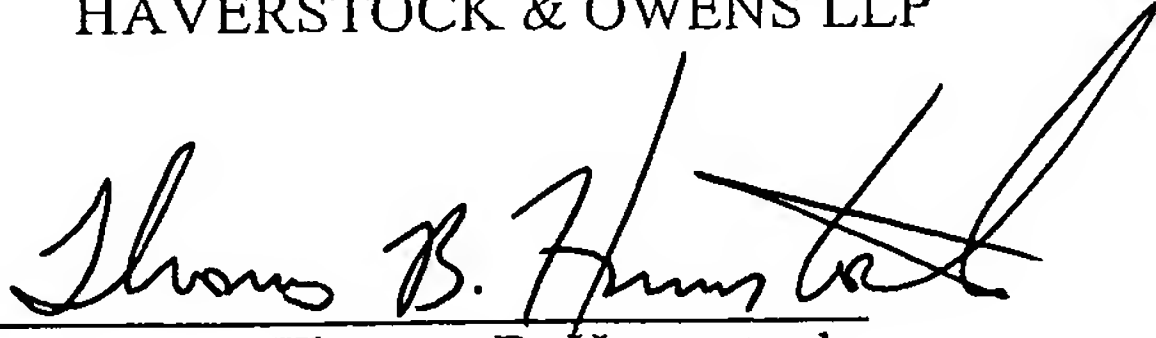
Dougliis teaches a means managing time and expense when communicating between a host and multiple network connections (abstract). Dougliis does not teach the interception of a connection message or a service initiation request message as does independent claim 1.

Therefore, neither McArdle, Dougliis, nor the combination thereof disclose the interception of a connection request, a limitation of the independent base Claim 1. Because dependent Claims 11 and 12 depend from independent Claim 1 that has a limitation not disclosed by McArdle, Dougliis or a combination thereof, dependent Claims 11 and 12 are allowable over the teachings of McArdle in view of Dougliis.

For these reasons, the Applicants respectfully submit that Claims 1-43 are in a condition for allowance, and allowance at an early date would be appreciated. Should the Examiner have any questions or comments, they are encouraged to call the undersigned at (408) 530-9700 to discuss the same so that any outstanding issues can be expeditiously resolved.

Respectfully submitted,
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Dated: 4-11-08

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CERTIFICATE OF MAILING (37 CFR § 1.3(a))
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